

Notice of Allowability

Application No.

10/767,669

Examiner

Ricky D. Shafer

Applicant(s)

LANG ET AL.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/17/2007.
2. ☒ The allowed claim(s) is/are 24-29 and 32-35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/800,114.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

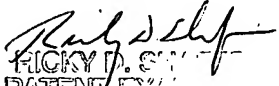
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RICKY D. SHAFER
PATENT EXAMINER
ART UNIT 2872

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

In claim 24, line 12, the language "one of the clamping" has been changed to read --the other one of the clamping--.

In claim 24, line 13, the language --being-- has been inserted after "connection".

3. The drawings filed on 10/30/2006 are accepted by the examiner.

4. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest a rearview mirror assembly for attachment to a vehicle via a holding tube comprising a mirror housing including a framing element defining a first recess configured to attach to the holding tube; a clamping bracket defining a second recess configured to attach to the holding tube and disposed opposite of the framing element, the first recess of the framing element and the second recess of the clamping bracket cooperating to encase and clamp with the holding tube and releasably attach to each other; the clamping bracket further configured to fastenably hold a mirror element; wherein one of the clamping bracket and the framing element has a hook element and the other one of the clamping bracket and the framing element has a snap connection, the hook element and the snap connection being snap-connectable to secure the framing element and the clamping bracket together, as recited claim 24, lines 3-14 nor a rearview mirror assembly removably attached to a vehicle comprising a holding element carried by said vehicle; a mirror element having a mirror

pane attached to a carrier plate; a positioning apparatus supporting said carrier plate; a framing having a configured *area* engaged with said holding element; a bracket, including an upper strip, a lower strip and a configured area, said configured area of said bracket being adjacent said upper strip and said lower strip and engaged with said holding element; and a plurality of connectors engaged with each of said positioning apparatus, said framing and said bracket, said connectors securing said framing and said bracket against said holding element and securing said positioning apparatus with said upper and lower strips of said bracket, as recited in claim 26, lines 3-13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RDS

December 26, 2007

Richard D. Shaver
RICHARD D. SHAVER
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ART UNIT 2872